

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

ORTIZ DIAZ, PEDRO JOSE
xxx-xx-6901

CASE NO 16-04350 MCF

DIAZ ORTIZ, MIRTA LIMARIS
xxx-xx-4864

CHAPTER 7

DEBTORS

**DEBTORS' MOTION FOR REOPENING OF CASE UNDER 11 U.S.C. §350(b)
AND REQUEST FOR ENTRY OF ORDER OF DISCHARGE**

TO THE HONORABLE COURT:

COME NOW, PEDRO JOSE ORTIZ DIAZ and MIRTA LIMARIS DIAZ ORTIZ, the Debtors in the above captioned case, through the undersigned attorney, and very respectfully state and pray as follows:

1. On May 31, 2016, the Debtors filed a petition for relief under Chapter 7 of Title 11, U.S. Code §§701 *et seq.*, in the above captioned case.
2. On July 27, 2016, the appointed Trustee Noreen Wiscovitch Rentas, Esq., filed a Chapter 7 Trustee's Report of No Distribution, Docket No. 13.
3. On September 07, 2016, the Clerk of the Court gave notice of intent to close the above captioned Chapter 7 case without entry of discharge for the Debtors having failed to file a certification of completion of instructional course concerning personal financial management (Official Form 23) which was due sixty (60) days after the first scheduled 341 meeting of creditors. Notice of Intent to Close Chapter 7 Bankruptcy Case Without Entry of Discharge Due to Failure of Debtor to File Financial Management Course Certificate, Docket No. 16.

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4. On September 26, 2016, this Honorable Court issued an *Order Discharging Trustee and Closing the Estate*, Docket No. 18.

5. On October 25, 2016, the Debtors took the required instructional course concerning personal financial management (attached is copy of having completed said instructional course).

6. Due to the Debtors' dire financial situation, the Debtors were unable to pay the required re-opening fee in order for the case to be re-opened by the Court, which would have allowed the Debtors to file the 10/25/2016 attached certification of having completed said instructional course concerning personal financial management. 28 U.S.C. Section 1930(a).

7. Under Section 350(b) of the Bankruptcy Code, 11 U.S.C. §350(b), a debtor may request by motion that the court reopen a case to accord relief to the debtor or for other cause. 11 U.S.C. §350(b), Rules 5009 and 5010 of the Federal Rules of Bankruptcy Procedure and P.R.-LBR 5010-1 of the Puerto Rico Local Bankruptcy Rules.

8. The Debtors respectfully request this Honorable Court to reopen the present bankruptcy case to allow the Debtors to file a certification of having completed said instructional course concerning personal financial management (Official Form 23), and for a discharge Order to be entered in the above captioned case. Rules 5009 and 5010 of the Federal Rules of Bankruptcy Procedure.

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WHEREFORE, the Debtors respectfully request this motion be granted and the present case be re-opened to allow the Debtors to file a certification of having completed said instructional course concerning personal financial management (Official Form 23), and for a discharge Order to be entered in the above captioned case.

NOTICE UNDER P.R. LBR 5010-1:

You are hereby notified that the debtor has filed a motion for the re-opening of her Chapter 7 case. Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE

I CERTIFY that on this same date a copy of this motion requesting re-opening of case was electronically filed using the CM/ ECF system which will send notification of same to: the Chapter 7 Trustee Noreen Wiscovitch Rentas, Esq.; US Trustee's Office, Monsita Lecaroz, Esq., Assistant US Trustee; and to all CM/ECF participants; I also certify that a copy of this motion was sent via regular US Mail to Pedro Jose Ortiz Diaz and Mirta Limaris Diaz Ortiz, HC 04 Box 44374 MSC 1433 Caguas PR 00727, the Debtors in the above captioned case, and also to all creditors and interested parties (CM/ECF non-participants) appearing in the

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master address list, hereby attached.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 17th day of July, 2018.

/s/Roberto Figueroa Carrasquillo
USDC #203614
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0104-3
Case 16-04350-MCF7
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Old San Juan
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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

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End of Label Matrix	
Mailable recipients	37
Bypassed recipients	0
Total	37